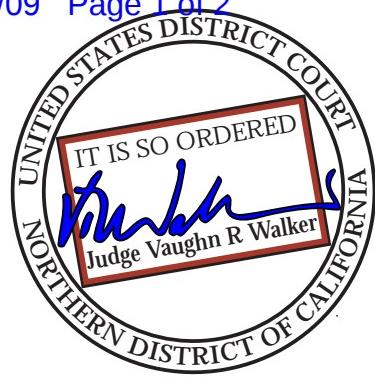


1 CAROLINE L. FOWLER, City Attorney (SBN 110313)
 2 JOHN J. FRITSCH, Assistant City Attorney (SBN 172182)
 3 City of Santa Rosa
 4 100 Santa Rosa Avenue, Room 8
 5 Santa Rosa, California 95404
 jfritsch@srcity.org
 Telephone: (707) 543-3040
 Facsimile: (707) 543-3055



6 Attorneys for Defendants
 7 CITY OF SANTA ROSA; ED FLINT, an individual and former Chief of the
 8 SANTA ROSA POLICE DEPARTMENT; SRPD Sgt. RICHARD CELLI,
 9 SRPD Officers RYAN HEPP, BRENT JOLIFF, TIMOTHY GILLETTE,
 10 ADRIA COOPER and MARLEE WELLINGTON

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 ALBERT THOMAS RUIZ III, Case No. CV 09-3952 VRW

15 Plaintiff,
 16 v.

17 STIPULATION RE DISMISSAL
 18 [42 U.S.C. § 1983]

19 CITY OF SANTA ROSA, former SRPD
 20 Chief ED FLINT, SRPD Officer RYAN
 21 HEPP, SRPD Sgt. RICHARD CELLI,
 22 Officers BRENT JOLIFF, TIMOTHY
 23 GILLETTE, ADRIA COOPER, MARLEE
 24 WELLINGTON, and DOES 1 to 5,
 25 inclusive,

26 Defendants.
 27

28 It is hereby stipulated by and between the undersigned that Plaintiff hereby
 1 voluntarily dismisses defendant former Santa Rosa Police Chief ED FLINT without
 2 prejudice. In consideration of said dismissal, defendants waive their right to recover
 3 costs of litigation including attorney's fees under California Code of Civil Procedure
 4
 5 //
 6 //

1 section 1021.7.

2 OFFICE OF THE CITY ATTORNEY

3

4 Dated: 12/10 2009

5

6

7

John J. Fritsch
Assistant City Attorney
Attorney for Defendants
City of Santa Rosa , Ed Flint, Sgt. Celli,
Officers Hepp, Joliff, Gillette, Cooper and
Wellington

8

9 Dated: 12/13 2009

Evan Livingstone

10

11 Evan Martyndale Livingstone, Esq.
12 Attorney for Plaintiff
13 Albert Thomas Ruiz III

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28